

HYDE & SWIGART
San Diego, California

Joshua B. Swigart, Esq. (SBN: 225557)
josh@westcoastlitigation.com
Hyde & Swigart
2221 Camino Del Rio South, Suite 101
San Diego, CA 92108
Telephone: (619) 233-7770
Facsimile: (619) 297-1022

Abbas Kazerounian, Esq. (SBN: 249203)
ak@kazlg.com
Matthew M. Loker, Esq. (SBN: 279939)
ml@kazlg.com
Kazerouni Law Group, APC
2700 North Main Street, Suite 1000
Santa Ana, CA 92705
Telephone: (800) 400-6808
Facsimile: (800) 520-5523

Todd M. Friedman, Esq. (SBN: 216752)
tfriedman@AttorneysForConsumers.com
Law Offices of Todd M. Friedman, P.C.
369 South Doheny Drive, Suite 415
Beverly Hills, CA 90211
Telephone: (877) 206-4741
Facsimile: (866) 633-0228

Attorneys for the Plaintiffs

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA**

<p>JAMES HIBERT AND ELIZABETH HIBERT, INDIVIDUALLY AND ON BEHALF OF OTHERS SIMILARLY SITUATED,</p> <p style="text-align: center;">Plaintiff,</p> <p style="text-align: center;">v.</p> <p>GREEN TREE SERVICING, LLC,</p> <p style="text-align: center;">Defendant.</p>	<p>Case No: 3:13-cv-01364-GPC-NLS</p> <p>PLAINTIFF’S NOTICE OF REQUEST FOR VOLUNTARY DISMISSAL OF ACTION WITH PREJUDICE AS TO PLAINTIFFS’ INDIVIDUAL CLAIMS AND WITHOUT PREJUDICE AS TO THE CLASS CLAIMS</p> <p>HON. GONZALO P. CURIEL</p>
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1 Plaintiffs James Hibert and Elizabeth Hibert (hereinafter “Plaintiffs”) hereby
2 move to dismiss this action against Defendant Green Tree Servicing, LLC,
3 (hereinafter “Defendant”) (and jointly hereinafter referred to as “the Parties”) with
4 prejudice as to Plaintiffs’ individual claims and without prejudice as to the Class
5 claims.

6 WHEREFORE, Plaintiffs respectfully request that this Court dismiss this
7 action with prejudice as to Plaintiffs’ individual claims and without prejudice as to
8 the Class claims.

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10 Dated: July 30, 2013

HYDE & SWIGART

11 By: /s Joshua B. Swigart
12 Joshua B. Swigart
13 Attorneys for Plaintiff
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